



Docket No.: PERMLT.019C1

April 14, 2005

Page 1 of 1

Please Direct All Correspondence to Customer Number **20995**

TRANSMITTAL LETTER
INFORMATION DISCLOSURE STATEMENT

Applicant : John Popovich, et al.
App. No : 10/789,357
Filed : February 27, 2004
For : MOUNTING ARRANGEMENT FOR
LIGHT EMITTING DIODES
Examiner : Unknown
Art Unit : 2875

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

April 15, 2005

(Date)

Glen L. Nuttall, Reg. No. 46,188

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing in the above-identified application are:

- (X) An Information Disclosure Statement and PTO/SB/08 equivalent listing references for consideration:
- (X) Listing 14 references.
(X) Enclosing 4 references.
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.
- (X) Return prepaid postcard.


Glen L. Nuttall
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Glen L. Nuttall, Reg. No. 46,188

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing in the above-identified application is an Information Disclosure Statement (IDS) by Applicant (PTO/SB/08 equivalent) listing fourteen (14) references to be considered by the Examiner.

This Information Disclosure Statement is being filed before the receipt of a first Office Action on the merits, and presumably no fee is required. If a first Office Action on the merits was mailed before the mailing date of this Statement, the Commissioner is authorized to charge the fee set forth in 37 C.F.R. § 1.17(p) to Deposit Account No. 11-1410.

In accordance with M.P.E.P. § 2001.06(c), Applicants hereby inform the Patent Office that U.S. Patent No. 6,712,486 (the '486 patent), from which the present application claims priority, has been the subject of previous litigation, and is currently involved in litigation. Further, U.S. Patent Nos. 6,578,986 (the '986 patent) and 6,846,093 (the '093 patent), which include subject matter similar to that in the present application, have been and are currently

involved in litigation. Permlight Products, Inc., which is the owner by assignment of the '986 patent, the '093 patent, the '486 patent, and the present application, has filed multiple lawsuits for patent infringement. A discussion of each of the relevant lawsuits is provided below.

Permlight v. Gelcore

On March 28, 2005, Permlight filed suit against Gelcore, LLC alleging infringement of the '986 patent, the '093 patent, and the '486 patent. The suit was filed in the U.S. District Court for the Central District of California, Southern Division, and was assigned Civil Action No. SACV05-287-CJC. Gelcore has not yet filed an Answer in the lawsuit.

Permlight v. Electraled

On February 11, 2005, Permlight filed suit against Electraled, Inc. alleging infringement of the '093 patent and the '486 patent. The suit was filed in the U.S. District Court for the Central District of California, Southern Division, and was assigned Civil Action No. SACV05-146-DOC. Prior to the deadline for Electraled to file an Answer in the lawsuit, the parties negotiated a settlement in which Electraled received a license under the patents, and the lawsuit was dismissed on March 29, 2005.

Permlight v. U.S. L.E.D.

On February 20, 2004, Permlight filed suit against U.S. L.E.D., Ltd. alleging infringement of the '986 patent. The '986 patent is not related to the '486 patent through any priority claim, but the patents include some similar subject matter. The suit was filed in the U.S. District Court for the Central District of California, Southern Division, and was assigned Civil Action No. SACV04-197-AHS. Soon after U.S.L.E.D. filed its Answer in the lawsuit, the parties negotiated a settlement in which U.S. L.E.D. licensed the patents, and the lawsuit was dismissed on July 30, 2004.

Prior to negotiating a license to settle the suit, U.S. L.E.D. accused Permlight of inequitable conduct. U.S. L.E.D. accused Permlight of submitting to the Patent Office an incomplete version of an article entitled "Thermal Management Considerations for Super Flux LEDs" during prosecution of the application that became the '986 patent. Permlight denied any

inequitable conduct in connection with the submission. Further, upon learning of the accusation, Permlight obtained a complete copy of the article from the inventor, and submitted the complete article to the Patent Office in an IDS filed May 5, 2004 in connection with the application that became the '093 patent (which is a continuation of the '986 patent). The Examiner considered the complete version of this article prior to allowing the '093 patent claims.

The present application is a continuation of the '486 patent, and is unrelated to the '986 and '093 patents. Nevertheless, Permlight has already submitted the complete version of the "Thermal Management" article in this application in the IDS filed May 28, 2004 (item 32).

This Information Disclosure Statement includes a copy of U.S. L.E.D.'s Answer, in which U.S. L.E.D. accused Permlight of inequitable conduct. No documents in support of this accusation were ever filed by U.S. L.E.D.; instead, U.S. L.E.D. paid Permlight to license the patents, and the lawsuit was dismissed.

Permlight v. Sloan

On August 4, 2003, Permlight filed suit against The Sloan Company, Inc. alleging infringement of the '986 patent. The suit was filed in the U.S. District Court for the Central District of California, Southern Division, and was assigned Civil Action No. SACV03-1216-AHS. Prior to the deadline for Sloan to file an Answer in the lawsuit, the parties negotiated a settlement, and the lawsuit was dismissed on November 18, 2003.

Statement Concerning One of the Submitted References

Applicants submitted U.S. patent No. 6,566,824 in the Information Disclosure Statement filed May 28, 2004. As Applicants stated during prosecution of the parent application (now the '486 patent), it is believed that the product depicted in the '824 patent may have been "made" (in the sense of 35 U.S.C. 102g) at least a week prior to the filing date of the regular application that became the '486 patent, from which the present application claims priority (namely, October 19, 2000). However, Applicant has no further information regarding when this product was made.

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All of the claims have been carefully reviewed and are believed to either be (1) fully distinguished from such product, or (2) entitled to priority from at least one of the provisional applications, which have filing dates of October 19, 1999 and April 27, 2000.

Respectfully submitted,

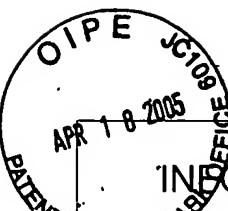
KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 4/15/05

By: 

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Multiple sheets used when necessary)

SHEET 1 OF 1

Application No.	10/789,357
Filing Date	February 27, 2004
First Named Inventor	John Popovich, et al.
Art Unit	2875
Examiner	Unknown
Attorney Docket No.	PERMLT.019C1

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No.	Document Number Number - Kind Code (if known) Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
	1	6056420	05/02/00	Wilson, et al.	
	2	6283612	09/04/01	Hunter	
	3	6485160	06/25/01	Sommers, et al.	
	4	6648496	06/27/00	Elghoroury, et al.	
	5	6659622	12/09/03	Katogi, et al.	
	6	6642666	10/20/00	St-Germain	
	7	6758573	06/27/00	Thomas, et al.	
	8	6787999	10/03/02	Stimac	
	9	6796698	04/01/02	Sommers, et al.	
	10	6799864		Bohler, et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No.	Foreign Patent Document Country Code-Number-Kind Code Example: JP 1234567 A1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T ¹

NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ¹
	11	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK. Case No. SACV04-00197 DOC (Ex)	
	12	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK. Case No. SACV05-287 CJC (RNBx)	
	13	U.S. LED, LTD.'S FIRST AMENDED ANSWER TO COMPLAINT FOR PATENT INFRINGEMENT [DEMAND FOR JURY TRIAL] CASE	
	14	Petroski, James, "Thermal Challenges Facing New Generation Light Emitting Diodes (LEDs) for Lighting Applications," in Solid State Lighting II, Proceedings of SPIE Vol. 4776 (2002)	

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Examiner Signature	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

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